

MUNICIPAL SERVICES BENEFIT UNIT PROGRAM

SIDEWALKS

April 2010



Mission Statement:

To assist property owners in unincorporated areas of Seminole County with the opportunity to acquire essential public health and safety improvements for their communities

Rev. 04



The following information is offered to help applicants understand the process of establishing an MSBU and the resulting roles and responsibilities once an MSBU is established.

For additional information regarding the community improvements available through the MSBU Program, active MSBUs, and various services available on-line, please visit the MSBU Program website:

<http://www.seminolecountyfl.gov/fs/msbu/index.asp>



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General Information MSBU Program and Non-Ad Valorem Assessments

The **MSBU Program of Seminole County** administers the non-ad valorem assessment districts for various local improvements and services within the unincorporated boundaries of Seminole County. A non-ad valorem assessment district as established in Seminole County is commonly referred to as an MSBU (Municipal Service Benefit Unit). Through the establishment of an MSBU, property owners can acquire essential improvements to neighborhood common areas, infrastructure, and facilities which serve essential public purposes. Community improvements financed via non-ad valorem assessment in Seminole County include collection/disposal services for residential household solid waste, residential street lights, aquatic weed control, lake restoration, retention pond renovation and constructed improvements such as road paving and drainage, sidewalk repair and water/sewer transmission line extension.

The cost for providing the improvements is allocated and assessed to the benefiting properties on an equitable cost sharing basis. The per property assessment associated with an MSBU is based on the cost to provide and/or maintain the improvement, the selected benefit unit base, the number of benefiting properties, and the benefit unit(s) allocated to each participating property. Through the MSBU Program, non-ad valorem assessments are levied by the Board of County Commissioners (BCC). The non-ad valorem assessments are collected through the annual property tax bill as indicated in Florida Statutes [Chapter 197](#) at 197.3632.

The MSBU Program operates according to guidelines as set forth in the Florida Statutes and the Seminole County Administrative Code.

Florida Statutes: <http://www.leg.state.fl.us/Statutes/index.cfm>

- [Chapter 125](#) County Commission Powers and Duties (primarily sections .01 and .0101)
- [Chapter 197](#) Tax Collections, (primarily sections 197.292, .322, .363, .3631, and .3632).

Seminole County Administrative Code:

http://www.seminolecountyfl.gov/ca/admin_code/

- [Section 22.10](#) [PDF](#) of MSBU Program Operating Guidelines and
- [Section 20.37](#) [PDF](#) of MSBU Program Fee Schedule.

In addition to the above guidelines, the policies and practices of the MSBU Program are further defined according to specific [Ordinance and/or Resolution](#) documents used to govern specific MSBUs. The MSBU Program uses two main funding formats for assessments – fixed term and variable rate. The fixed term format is related to MSBUs that require extended financing over a period of years in order to enhance the affordability to property owners for project repayment. The variable rate format is used for MSBUs that do not have a set closure date and for which assessments are calculated annually based on projected cost to provide continuation of the service or improvements in the forthcoming year(s). For example, the assessments for street lighting or aquatic weed control improvements are variable rate assessments; while water/sewer, sidewalk and road paving are typically fixed term.

MSBU Process and Procedures Sidewalk Improvements

The MSBU funding format is available in Seminole County for sidewalk improvement projects designed to benefit Seminole County residents. Sidewalk projects serve public purpose by providing essential safety and transportation public benefit. Creation of an MSBU, as well as on-going efforts to provide improvements requires community involvement and support. Routine operations and management of sidewalk MSBUs are governed locally through establishment of MSBU Ordinances approved and established by Seminole County BCC. The improvement efforts are funded by assessments levied against benefiting parcels. By definition of benefit, all parcels located in areas benefiting from sidewalk projects are assessed a cost share for the improvements provided.

MSBU sidewalk improvements are classified as “construction projects”. The area to be improved must be platted/dedicated to the public. If not so dedicated, proof of ability to transfer the area to public ownership (including title, opinion, and insurance, if requested by the County) must be submitted for establishment of an MSBU. The geographic area must be included in the jurisdictional boundaries of Seminole County Utilities.

Only interior sidewalks (sidewalks installed within boundaries of a subdivision or specific area along their internal streets) providing a specific benefit to the subdivision parcel owners or benefiting specific parcel owners may be constructed through an MSBU. For example:

- Sidewalk constructed throughout subdivision; entire platted subdivision must benefit and will be assessed.
- Sidewalks constructed only on certain roads or excluding cul-de-sacs; only adjacent benefiting property owners to be assessed.

External sidewalks are not eligible for an MSBU. These are the sidewalks installed along main routes that provide benefit to the general public as a whole.

Preliminary engineering is required to address size and scope of a walk as determined by County staff in coordination with community liaison(s), pursuant to County Code. A selected design consultant determines the most cost effective solution for each project based on actual site conditions. After problem areas have been identified, typical sidewalk section(s) are designed to minimize drainage problems and maintenance costs. The design consultant prepares an “Estimated Construction Cost” report/document based on the project’s approved estimate as summarized in the “Preliminary Engineering Report”.

Prior to the MSBU Program proceeding with a preliminary engineering work order, parcel owners must prepay a preliminary engineering report fee. The MSBU Program requests a list of property owners contributing to a fee be included with payment. If improvements are constructed, property owners contributing toward fee will be given credit against their assessment (share of final total costs). If improvements are not constructed, contributions toward cost of preliminary engineering will not be refunded.

NOTE: An MSBU Construction Cost Matrix (to be utilized for a rough cost estimate only) is included in this packet. Please refer to Table of Contents for its page number.

Basic Steps to Establish an MSBU

(Each of these steps is explained further on the following pages.)

STEP	RESPONSIBILITY
I. Request Application Packet	Property Owners
II. Complete & Submit Application	Community Liaisons
III. Review & Preliminary Engineering Report	MSBU Program Engineering Div./Consultant
IV. Poll Community – Petition Distribution	MSBU Program
V. Evaluate Petition Results and Determine Course of Action	MSBU Program Community Liaisons
VI. Public Hearing – Adoption of Ordinance	Board of County Commissioners (BCC) MSBU Program Community Liaisons Property Owners
VII. Implement Service/Improvement	
• Obtain final Engineering Plans	MSBU Program Engineering Div./Consultant
• Bid the Construction	Purchasing Div./Engineering Div./Roads Div.
• Construct Improvements	Roads Div./ Engineering Div./Contractor
VIII. Final Public Hearing/Resolution to establish final assessments	Board of County Commissioners (BCC) MSBU Program Community Liaisons Property Owners

Detailed Procedures

STEP I. Request Application Packet

Application packets detailing the MSBU creation process are available from the MSBU Program and will be provided upon request. Applications packets are designed to provide an overview of the process according to the type of project proposed. The application packet includes detailed information regarding the MSBU Program, the steps for establishing an MSBU, the related application forms and answers for frequently asked questions.

Applications to create an MSBU will be considered given the following criteria is met:

- The property to be benefited by the improvement is located within the unincorporated area of Seminole County;
- The property upon which the improvement is to be made is publically owned, leased or granted easement;
- The proposed boundary (properties to be included) contains a minimum of two distinct taxable (or platted) parcels;
- The proposed project is a project type authorized by the BCC
- The proposed project meets the MSBU Program guidelines for public property and/or serves acceptable public purpose

Requests for application should be directed to the MSBU Program:

On-Line: <http://www.seminolecountyfl.gov/fs/msbu/msbuamaterials.asp>

Phone: (407) 665-7178

Office: 1301 East 2nd Street, Sanford, FL 32771-1468

When submitting an application request, be certain to identify the geographic and descriptive location of the desired improvement (i.e., community, subdivision, or street) and the type of improvement proposed (i.e., water, sewer, sidewalk, road paving, drainage, etc).

STEP II. Complete & Submit Application

Application may be made by property owners, homeowner associations, management companies or other interested parties. Any noted application deadline and processing restrictions are related to statutory provisions, the County Administrative Code and MSBU Program guidelines. Each MSBU project type has a distinct application form and application fee. The application form is the last document in the packet. The fee schedule is provided on the page noted in the table of contents. Assistance is available from the MSBU Program should the applicant have questions or concerns regarding any aspect of the application form or process.

STEP II. Complete & Submit Application (continued)

The application form is designed to communicate the following:

- Project type: Is this for new sidewalks or for upgrading sidewalks?
- Attachments: Please indicate each document attached. If you have additional documentation, describe it in "Other". A complete documentation package with an application results in more rapid application review.
- Subdivision, Roadways, and Parcel ID: Enter names of subdivision and roadways along with Parcel ID. Parcel ID is available at the Property Appraiser (407-665-7506 or www.scpafl.org/scpaweb05/index.jsp).
- Liaison Information: Enter information for Liaison. Identifying and including information for a secondary Liaison is advised and encouraged.
- Existing Sidewalks: Provide complete description of any existing sidewalks, such as length, width, thickness, condition, etc.
- Roadways: Does Seminole County currently maintain the roads in this area? Are any portions paved? If partially paved, describe location/extent of paved portions? List cross streets and addresses.
- Meetings: List all past and upcoming meetings held by the residents to address the sidewalk requirements and needs.
- Participation: Provide estimate of approximate percentage of benefiting property owners who are interested in attending relevant meetings.
- Resolution: Very specifically, what concerns are you hoping to resolve?
- Financing Assistance: State detailed reasons/conditions for requesting and/or qualifying for Seminole County participation in improvement costs.
- Signature Block: Enter information and sign the application.

Describing the desired scope of services in detail is critical to development of an initial review of a proposed MSBU, engineering plan, and subsequent cost estimates. Community participation in development of scope of services is highly encouraged. A preliminary engineering report and application details will be primary factors for determining final recommendations for a proposed project. When preparing a subdivision map for submittal, be certain to identify geographic and descriptive locations of desired improvements and type of improvement proposed. Each sidewalk project to be constructed, replaced or upgraded should be drawn in with beginning and ending points clearly marked. Copies of recorded plats and section maps may be obtained from the Planning Department, on the first floor of the County Services Building. For additional information please call the Planning Department at (407) 665-7441.

STEP II. Complete & Submit Application (continued)

The creation of an MSBU relies heavily on involvement of **community liaisons**. Liaisons need to be readily available for follow-up contact from County staff and the benefiting community, attending scheduled site visits, encouraging petition response, and other project activities. The community representatives that serve as primary and/or secondary liaisons are very important to establishing an MSBU and ensuring project completion occurs per community expectations.

All questions or concerns regarding cost sharing decisions, and participating properties should be discussed with the MSBU Program prior to submitting application. MSBU boundaries (geographic area) to be assessed; represented by listing of parcels) must be continuous. Enclaves are not allowed if their purpose is to remove a parcel(s) because the property owner is not in favor of establishment of the MSBU. The assessment boundaries are based on benefit received and do not necessarily include an entire subdivision if the entire subdivision does not materially benefit from the proposed improvement.

When complete, the application should be submitted to the MSBU Program. Mailing and/or delivery location is noted on the application form. **The nonrefundable application fee (per the application fee schedule) must be made payable to “BCC Seminole County” and submitted with the application.** Although the fee is non-refundable, provisions for the crediting of the application fee back to the applicant who paid the fee are found in the Seminole County Administrative Code (http://www.seminolecountyfl.gov/ca/admin_code/) as follows:

“The application fee shall be credited towards the assessment assigned to the applicant’s benefiting property....if the requested MSBU is established by the Board, the requested improvement is completed, and assessments are collected from the benefiting property owners.”

STEP III. Review Application & Conduct Project Analysis

After receipt, the MSBU Program will confirm the application is complete and sufficient to evaluate feasibility of a requested improvement. The MSBU Program will validate properties that serve to benefit from an improvement and formulate a boundary description for the geographic area associated with a proposed MSBU. The application will be copied to appropriate departments for review and evaluation.

Many project types authorized for MSBU consideration require analysis and cost estimating acquired from contracted vendors. Applicant (or other property owners) must prepay preliminary analysis costs. If sidewalk improvements are constructed, property owners who contributed to a preliminary engineering report fee will be given credit against their assessment (share of final total costs). If improvements are not constructed, contributions toward costs of the preliminary engineering report will not be refunded.

If an applicant has an existing engineering report, it will be reviewed by the MSBU Program for suitability of use. If the provided information is insufficient to formulate the required cost analysis, the applicant will be notified by the MSBU Program of the deficiency and need for additional information. A cost estimate will be provided for obtaining the detail level required to address the proposed project.

STEP III. Review Application & Conduct Project Analysis (continued)

The MSBU Program staff is available to conduct an informative meeting with property owners to discuss the MSBU process if requested. Notification of any **County-sponsored** meetings is coordinated through the MSBU Program. A public meeting for overview of the MSBU Program and proposed project is highly recommended. The MSBU Program requests opportunity to review (prior to circulation) any correspondence relating to establishment of an MSBU.

STEP IV. Poll Community - Petition Distribution

The Administrative Code (2210.5) (http://www.seminolecountyfl.gov/ca/admin_code/) requires formal confirmation that the level of community support for an MSBU is at least 65%. A petition for improvement document, prepared by the MSBU Program, is used as a formal mechanism for determining level of community support for establishing a sidewalk MSBU. The petition document defines details of the proposed MSBU such as: construction costs; other details specific to the MSBU; assessment calculation; and provides for property owner response relative to creating an MSBU.

Individual petition documents are mailed to property owners by the MSBU Program, and reprints may be distributed by the MSBU Program to the applicant or community liaisons for follow-up with property owners. Owners are requested to respond by 1) designating a “For” or “Against” response on the petition document; (2) providing owner signature; and (3) returning the completed form to the MSBU Program office prior to the stated deadline. All current owners or the designated trustee of a parcel must sign the petition form for the response to count towards the 65% requirement. Once submitted, a petition document may not be withdrawn. Property owner response for those properties that do not return the petition document will be counted as “Against” when calculating the level of community support.

Petition documents are typically in circulation for a 30 day timeframe. The deadline for submitted response is noted on the document. However, the deadline may be extended if requested by the applicant/liaisons, approved by the MSBU Program, and posted to the MSBU Program website prior to expiration of the initial deadline. Up to two extensions, each limited to 2 additional weeks, are typically granted. Extensions are primarily granted to provide clarity regarding the level of community support. Petition response will be tracked and available for summary or review throughout the petitioning period.

Please note: Projects requiring the conveyance of special easements, leaseholds or deed transfer to meet public ownership criteria have additional considerations. In such situations, voluntary agreement to provide the necessary conveyance is required from all (100%) of the owners from whom such agreements are required. This activity is generally a separate consideration determined independent from the petition process (which requires only a majority support). If agreement/conveyance is not obtained from 100% of such owners, the project scope may require modification to accommodate limited status, and/or project rejection. Continuance of the proposed project is dependent on revised project scope and its related requirements. Owner signature on related agreement documents must be obtained prior to presenting an MSBU creation request to the BCC.

STEP V. Evaluate Petition Results & Determine Course of Action

Petition documents received by the MSBU Program are reviewed for acceptability. All current owners of a parcel or a designated trustee must sign a petition for ownership and parcel to count towards a 65% requirement. Owner response must be clearly identified and consistent with intent of the petition document. Handwritten or other commentary added to a petition document that alter intent of information conveyed in a petition document will be rejected and returned to owner of record. Incomplete petition documents will be rejected and returned. An explanatory memo is provided with returned petition documents. An owner has opportunity to complete and resubmit a returned petition response. Submittal deadlines apply to rejected petition documents.

The results of the petition process will be posted to the MSBU Program website. If the petition provided sufficient support to proceed with the MSBU creation process, the MSBU Program will mail notification of the results along with information regarding the continued activities. If support is deemed insufficient to proceed, mailed notification is at the discretion of the MSBU Program and is generally dependent on the cost to provide such notification.

Provided the community support is sufficient to continue, the MSBU Program will request BCC authorization to conduct a public hearing for adopting an ordinance establishing the proposed MSBU. **Please note** that once the consolidated petition results are accepted and a public hearing is authorized, the petition is no longer relevant to the final determination of the BCC to proceed (or not) with the project/MSBU. The final determination of the scope and feasibility of the project and the creation of the MSBU is made by the Seminole County BCC.

If petition support is less than 65%, the effort will be noted as insufficient support. Re-petitioning is permitted once per calendar year and no more frequently than once every six months following submittal of a new application and non-refundable processing fee.

STEP VI. Public Hearing - Adoption of Ordinance

When the proposed Ordinance and all documents are in order (including easement/leasehold, etc., agreements) and a public hearing date is scheduled, legal Notice(s) will be published in a local newspaper. Notification of the public hearing will be mailed to the owner of record for all properties included in the boundary of the proposed MSBU. A copy of the proposed ordinance will be available for review at the Commission Records office located in the County Services Building at 1101 East 1st Street, Sanford, FL).

For MSBU projects, such as water, sewer, paving, drainage, etc., designed as one-time improvements with a fixed financing term, an estimated assessment rate is identified in the governing ordinance. For ongoing MSBUs that require annual rate adjustment, an estimated assessment will be documented in the ordinance and will be granted fluctuation according to ordinance restrictions and/or operating expenditures necessitated in establishing and/or maintaining desired results.

The Ordinance will be proposed for adoption during the public hearing. Once the petition results are presented to the BCC at a public hearing, the consolidated petition is no longer relevant to the final determination by the BCC to proceed (or not proceed) with the requested MSBU. The final determination of the scope and feasibility of a new project will be determined by the BCC.

STEP VI. Public Hearing - Adoption of Ordinance (continued)

During the public hearing, the BCC may consider any comments, objections, and information relevant to the establishment of the MSBU. The BCC will adopt or deny the Ordinance. If the amended Ordinance is adopted, it will be recorded in Seminole County Land Records and with the Florida Department of Revenue.

STEP VII. Implement Service/Improvement

Following the creation of an MSBU, the MSBU Program will work closely with supporting Divisions and the County's Purchasing & Contract Division to secure contracted services for the required improvements. All reasonable effort will be made to secure a contracted service provider within the targeted range of assessment funding. Once a suitable contract with a qualified vendor(s) has been assigned, the project work will commence. The MSBU Program and the supporting Division will be in close contact with the community liaisons and the vendor as the project work is completed.

Any cost increase that yields a total project cost above the provisions stated in the governing ordinance will be communicated to the participating property owners. If the projected procurement cost exceeds the authorized parameters, a secondary petition will be necessitated to confirm continued support of the property owners. Unless otherwise required by ordinance, a 65% support majority to the second petition will be sufficient to continue with the project. If continued support is not demonstrated through the petition process, and no other alternatives are available within the project parameters, the MSBU will be dissolved.

STEP VIII. Final Public Hearing – Assessment Rate Resolution

For MSBU projects, such as water, sewer, paving, drainage, etc. that are designed as a one-time improvement with a fixed financing term, an estimated assessment rate is identified in the governing ordinance. When these projects are completed, and actual costs have been calculated, a second public hearing is held to review the results of the project and to establish the final rate for assessment. The public hearing will be advertised and notification will be mailed to the owner of record for each property included in the boundaries of the MSBU. Once adopted by the BCC, the Resolution or Amending Ordinance will be recorded in Seminole County Land Records.

As an alternative to financing the assessment, owners may pay their assessment in full within 30 days of the final public hearing to avoid financing charges. A satisfaction of lien document is processed when a fixed term assessment is paid in full. Please see STEP IX. for further information regarding the satisfaction of lien process.

STEP IX. Assessment & Operation Management

Assessments are equitably allocated to all benefiting parcel owners as defined in the governing ordinance. Beginning with the first available tax year, annual assessments will be levied by the BCC, placed on the property tax bill and collected through the Tax Collector of Seminole County in the same manner as all other county property taxes and assessments. Assessment for on-going improvements/services subject to annual rate variation will be included on the property tax

STEP IX. Assessment & Operation Management (continued)

bill in the first available tax year following creation of the MSBU. Assessment for projects that involve fixed term financing will be included on the property tax bill for the first available tax roll following project completion. Property taxes are due annually by March 31. Early payment discounts associated with property taxes are applicable to MSBU assessments.

An open assessment is considered as a lien against a property. The lien for variable rate MSBU assessments, such as aquatic weed control, is satisfied annually when the property tax bill is paid. A lien associated with a fixed term assessment, such as for water, sewer, paving, drainage, etc., construction, is satisfied when the outstanding assessment is paid in full. A satisfaction of lien document is processed when a fixed term assessment is paid in full; however, a lien satisfaction document is not required or processed when a variable rate assessment is paid. Assessments for fixed term projects may be paid in full at any time following final rate resolution. For additional details regarding the satisfaction of lien process, please contact the MSBU Program office at (407) 665-7178 or on-line at the following address: <http://www.seminolecountyfl.gov/fs/msbu/msbuamaterials.asp>.

Separate accounts are maintained for each MSBU. All assessments collected for each MSBU will be exclusively allocated for expenditures incurred for that specific MSBU. For ongoing MSBUs, the assessment rate will vary from year to year. The funding will also include provisions for administration of the MSBU and ensuring reserve funds for future treatments and operating contingency. Operating budgets are prepared annually and assessment rates are established by BCC resolution. Assessment amounts will comply with the guidelines of the MSBU Program and any specific parameters noted in the governing ordinance. The assessment for a forthcoming tax bill is posted on the MSBU Program website by August 1.

Frequently Asked Questions

Where do I obtain detailed information? To obtain detailed information, please contact the Seminole County MSBU Program at 1301 E. 2nd St., Sanford, FL 32771 or go on-line to <http://www.seminolecountyfl.gov/fs/msbu/msbuprog.asp> or call 407-665-7178. To access a complete list of all available frequently asked questions on-line please go to: <http://www.seminolecountyfl.gov/fs/msbu/msbufaq.asp>.

What do the letters MSBU represent? Municipal Services Benefit Unit. An MSBU is an assessment district authorized by Florida Statute 125.01 to provide funding for improvements and/or services benefiting a specific group of properties. Please see: (http://www.flsenate.gov/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=C_h0125/SEC01.HTM&Title=->2005->Ch0125->Section%2001).

What type of property is eligible to participate in an MSBU? Eligibility to participate in an MSBU varies per project type. However, unless otherwise agreed, property must be located within the taxing district of unincorporated Seminole County. Most Seminole County MSBUs are associated with residential properties; however, certain commercial areas may also qualify. Specific to aquatic weed control and lake restoration, lakefront properties are the primary properties included in the assessable boundaries of an MSBU; secondary properties may include properties with use rights to common land located on the benefited lakefront. Inclusion of property is not dependent on use of land, occupancy or site development.

My subdivision is located within city limits. Can Seminole County still help me and my neighbors benefit from an MSBU with Seminole County, such as street lighting, water/sewer, etc?. Florida Statutes specify that any neighborhood improvement made through the MSBU Program must be for properties located outside of municipality (city) boundaries only. Please contact your city government office to request neighborhood improvements to your subdivision.

What is the procedure to start the MSBU process? Steps are detailed in an "MSBU Application Packet" available from the MSBU Program at (407) 665-7178. Basic steps include: (1) Application, (2) Project analysis & preparation of cost estimate, (3) Petitioning to determine community support level, (4) Establishing the governing Ordinance, (5) Project implementation, and (6) Assessment.

What is the role of the community liaisons and how are they selected? The liaisons need to be readily available for follow-up contact from County staff and the benefiting community, attending scheduled site visitations, encouraging petition response, and other project support activities. Primary and/or secondary liaisons are very important to establishing an MSBU and to ensuring project completion occurs per community expectations. Benefiting parcel owners choose liaisons and enter the selected liaison(s)' names on the application to be submitted to the MSBU Program.

Is someone available to attend an HOA meeting to discuss the process or the projects? Yes. The MSBU Program offers a variety of public presentations through the Seminole County Government Speaker Bureau. To request attendance at a meeting, simply go to the [Speaker Bureau](#) webpage and select the type of presentation and date that is of interest to you. You may also [email](#) or call the MSBU Program at (407) 665-7178 for additional details.



Frequently Asked Questions (continued)

How does the MSBU Program determine the level of community support for establishing an MSBU? After an application is received, reviewed and accepted by the MSBU Program, the MSBU Program will create a petition for improvement document. The petition contains details of the proposed project and MSBU. Provisions on the petition allow owners to indicate whether they are in support of or against creating the proposed MSBU. An owner identifies their preference, signs and returns the document to the MSBU Program or to designated community liaison(s). Level of support is determined by the MSBU Program according to responses indicated on returned petition documents. Petition documents not returned to the MSBU Program are tallied as an against response.

How does the petition get distributed? The MSBU Program will mail the petition document to the owner of record for each benefiting parcel identified for inclusion in the MSBU boundaries. The petition document is to be reviewed and signed by the property owner(s).

Can I change my response after it has been submitted? A petition document should be submitted after the owner has evaluated the project proposal and determined their response. The owner, however, may submit a replacement petition providing it is received by the MSBU Program within the submittal deadline for the petition process. No petitions will be accepted after the deadline has passed. Petitions may not be withdrawn after the response deadline has expired.

Can the petition deadline be adjusted? The petition deadline is monitored/controlled by the MSBU Program. Petition documents are typically in distribution for a 30-day period. Extension is granted when community support is uncertain due to non-returned petitions. Deadline and provisions for extension will be noted on the petition document. Deadline may be extended according to noted provisions. Up to 2 extensions, each limited to 2 additional weeks are typically granted. Deadline extension must be requested by the applicant/liaison and approved by the MSBU Program prior to expiration of the existing deadline. Deadline extensions will be posted to MSBU Program website.

What level of support is required? A 65% majority of affected benefiting parcel property owners must indicate their support for establishing the proposed MSBU for all project types excluding street lighting; street lighting requires a 55% majority.

Will the results of the petition be communicated? The results will be posted to the MSBU Program website at <http://www.seminolecountyfl.gov/msbu/msbudistrict.asp>. If the petition provided sufficient support to proceed with the MSBU creation process, the MSBU Program will mail notification of the results along with information regarding the next steps in the process of creating the MSBU. If support is insufficient to proceed, mailed notification is at the discretion of the MSBU Program and is generally dependent on the cost to provide such notification.

Do the property owners opposing the MSBU get assessed if the MSBU is created? In most circumstances, all properties (whether "For" or "Against" during the petition improvement process) are assessed equitably for the cost of providing the improvement. In the case of water and/or sewer line extension projects, only the property owners agreeing to participation will be assessed. In these circumstances, non-participating parcels are denied connection eligibility to the resulting

Frequently Asked Questions (continued)

water/sewer service lines. With water service line projects, installation of fire flow & fire hydrants are mandatory. In such situations, all parcels share in the expense of the fire flow system; while water service costs participation remain optional. The governing ordinance will include a listing of the participating properties and the respective improvement for which the property will be assessed. Once the ordinance is adopted by the BCC, participation in the cost share becomes mandatory as per the directives of the ordinance. Ordinances are posted online at <http://www.seminolecountyfl.gov/msbu/msbudistrict2.asp>.

When will a public hearing be held and who may attend? A public hearing will be scheduled after petition documents and/or any other documentation is returned to and certified by the MSBU Program to have attained an acceptable "For" response rate. Notice of public hearing will be mailed to owners of record for all properties included in the boundaries of a proposed MSBU. Notice will be published in a local newspaper. Any member of the public may attend a public hearing.

May the MSBU be terminated at a future date? The process to dissolve an established MSBU is similar to the creation process - application, petitioning, 65% majority support, a public hearing, and BCC authorization. MSBUs that receive supplemental financial support from county funding may have additional restrictions that mandate the minimum duration of existence for the MSBU. If/when an MSBU is dissolved, the participating parcels will be assessed for closure costs, contractual obligations, and/or other unpaid expenses.

When do I start paying the assessment? The assessments for on-going project improvements/services (street lighting, aquatic weed control and solid waste) subject to annual rate variation will be included on the property tax bill in the first available tax year following creation of the MSBU. Assessment for projects that involve fixed term financing (construction and lake restoration projects) will be included on the property tax bill for the first available tax roll following project completion. Additional information for the different improvement and service project types may be found at <http://www.seminolecountyfl.gov/fs/msbu/msbuprog.asp>. Assessments for fixed term projects may be paid in full at any time following final rate resolution. Property taxes are due annually by March 31. Early payment discounts associated with property taxes are applicable to MSBU assessments.

I received a Non-Ad Valorem Assessment Notice in the mail. What is this? The Notice is provided in advance of the Property Tax bill and provides communication of the special assessments ([Non-Ad Valorem assessment](#)) for new MSBUs that will be included on the property tax bill, for the first time, in November. The notice also provides details regarding the scheduling of a Public Hearing (August) during which the Board of County Commissioners will receive public commentary regarding the proposed assessments and will make final approval for the non-ad valorem assessments to be included on the forthcoming Property Tax bills.

On the Non-Ad Valorem Assessment Notice it states: "This is not a bill". When and how will the charges be billed? How is the assessment paid? The [Non-Ad Valorem assessment](#)(s) will be included on the property tax bill distributed in early November. Payment of these assessments is required at the time property taxes are paid and in the same manner as property tax payments. When you pay your property taxes, your assessments are also paid.

Frequently Asked Questions (continued)



Since there is a lien on my property, when and how is the lien satisfied? May I receive a copy of the satisfaction of lien? The lien for variable rate MSBUs, such as street lighting and aquatic weed control is satisfied annually when the property tax bill is paid. A lien associated with a fixed term assessment is satisfied when the outstanding assessment is paid in full. A satisfaction of lien document is processed when a fixed term assessment is paid in full; a lien satisfaction document is not required or processed when variable rate assessment is paid. For additional information regarding satisfaction of lien process or pay-off balance or to obtain a copy of the satisfaction of lien, please contact the MSBU Program at (407) 665-7178 or on-line at: <http://www.seminolecountyfl.gov/fs/msbu/msbuamaterials.asp>.

If I sell my property within the payoff period how does the MSBU lien on my property get satisfied? Who pays the remainder due, the buyer or the seller? An MSBU assessment is satisfied by full payment. Seminole County Government does not require payment of the assessment balance at the time of property sale. However, some mortgage companies may require lien satisfaction in order to finance or refinance the property. Assessment payment decisions are determined by property owners. The decision to make early payoff, as well as the decision regarding who will pay the assessment balance is between the buyer and the seller. If an assessment balance is to be paid at the time of the sale, the MSBU Program must be notified so that a payoff amount can be calculated. For additional information regarding the purchase or sale of a property subject to non-ad valorem assessment, please visit the MSBU Program [Property Sale Information](#) page.

We have existing sidewalks that need repair and/or replacing. Can we request an MSBU for these types of upgrades for sidewalks? Yes. The MSBU establishment process would be the same as if the sidewalks were being newly installed.

What is the criteria for adding a sidewalk to the County sidewalk system? Before acceptance of sidewalks into the County's maintenance and repair system can be finalized, several criteria are analyzed. These include:

- Is the sidewalk along a County maintained road or within County right of way?
- If not within right-of-way, will easement be granted?
- What is width of sidewalk? Six feet is desired and eight feet is optimum. Eight feet is the minimum standard on all collector/arterial roadways.

For specific details, please contact the Seminole County Public Works Department at (407) 665-ROAD (7623) or visit the Public Works Department website on-line at: <http://www.seminolecountyfl.gov/pw/roadstorm/custservice.asp#services>.

Frequently Asked Questions (continued)



Why is it necessary to install a new six (6) foot wide sidewalk rather than a four (4) foot or five (5) foot wide sidewalk? The need for six (6) foot wide sidewalk installation is determined by the Engineering Division and Seminole County Department of Public Works, based upon ADA Compliance and Seminole County Codes. Six (6) foot is desired; eight (8) foot is optimum. For further information you may visit <http://www.seminolecountyfl.gov/pw/eng/sidewalk.asp>.

How large an easement must be available for construction activities? The Preliminary Engineering Study will define the required easement area. However, the minimum width to be anticipated is fifteen (15) feet. All easement areas are required to be cleared of any and all obstructions prior to the commencement of construction activities.

What is the first step to begin the construction process of a new sidewalk after an MSBU is approved and established? The first step is to have a set of engineering plans designed to meet governmental standards. Plans must be professionally engineered and certified.

If the MSBU road, water line, sewer line, sidewalk or drainage is in need of repair after completion of the MSBU improvement, who is responsible for those costs? If the MSBU is a road paving and drainage or a sidewalk MSBU, maintenance will comply with the Seminole County Road Maintenance and Construction Policies. Many variables exist in the Road Maintenance and Construction Policies.

May I pay off my construction assessment at any time during the payoff period? Construction costs that are financed through the MSBU Program may be paid according to the annual assessment billing cycle (property tax bill) or in full at any time. Please [email](#) or call the MSBU Program at (407) 665-7178 for assessment payoff details. For additional information regarding the purchase or sale of a home subject to non-ad valorem assessments, please visit the MSBU Program [Property Sale Information](#) page.

If I sell my property within the payoff period how does the MSBU lien on my property get satisfied? Who pays the remainder due, the buyer or the seller? An MSBU assessment is satisfied by full payment. Seminole County Government does not require payment of the assessment balance at the time of property sale. However, some mortgage companies may require lien satisfaction in order to finance or refinance the property. Assessment payment decisions are determined by property owners. The decision to make early payoff, as well as the decision regarding who will pay the assessment balance is between the buyer and the seller. If an assessment balance is to be paid at the time of the sale, the MSBU Program must be notified so that a payoff amount can be calculated. For additional information regarding the purchase or sale of a property subject to non-ad valorem assessment, please visit the MSBU Program [Property Sale Information](#) page.



Application Fee Schedule

(Excerpt from Seminole County Administrative Code 20.37)

Aquatic Weed Control¹

\$ 550.00	Application Fee - Impaired/Corrective Services
\$ 450.00	Application Fee - Maintenance of existing conditions/under contract

Lake Restoration¹ or Retention Pond Renovation¹

\$ 550.00	Application Fee - Impaired/Corrective Services
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Road Paving & Drainage²

\$ 650.00	Application Fee - Rough cost estimate and coordination of preliminary engineering
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Street Lighting

\$ 150.00	Application Fee - MSBU request involving single support source
\$ 150.00	Application Fee - MSBU request involving of 25 or fewer properties.
\$ 250.00	Application Fee - MSBU request involving greater than 25 properties.
\$ 150.00	Application Fee - Upgrade request involving 25 or fewer properties.
\$ 250.00	Application Fee - Upgrade request involving greater than 25 properties.

Wall Reconstruction

\$ 550.00	Application Fee - Single easement ownership; Construction Only
\$ 750.00	Application Fee - Multiple easement ownership; Construction Only
\$1,000.00	Application Fee - Single easement ownership; Pre-Paid Design plus Construction
\$1,250.00	Application Fee - Multiple easement ownership; Pre-Paid Design plus Construction

Water and/or Sewer²

\$ 550.00	Application Fee - Water or Sewer
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Sidewalks²

\$ 450.00	Application Fee Proposed – New construction or repair/replacement
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Dissolution Application

\$ 150.00 ⁴	Application Fee - Distribution of Petition
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All Project Types - Reactivation & Redistribution of Petition

\$ 150.00 ⁴	Application Fee – Reactivation & Redistribution of Petition
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- 1 The MSBU application review process may require project analysis involving consultant services to determine scope of services and feasibility of success. The need for analysis will be determined prior to application and a price quote for analysis fee will be obtained at time of application. Prepayment for analysis costs will be due from applicant prior to scheduling the analysis related activities.
- 2 The MSBU application process requires a preliminary engineering report. A price quote for preliminary engineering will be obtained at time of application. Prepayment for the preliminary engineering report will be due from applicant prior to scheduling report related activities.
- 3 Application fee includes preparation of leasehold/easement legal documents required in conjunction with application process.
- 4 In addition to the stated application fee, the applicant will be required to provide prepayment for the mailing expenses associated with secondary distribution of a petition for same or similar project.

Sidewalk Construction Cost Estimate Matrix



Based Upon Seminole County Public Works Current Calculated Estimates as of 10-1-08
All Costs in this Table Reflect Six (6) Feet Width (minimum ADA standards)

Typical 4" Thick Sidewalk (no fibermesh)			Typical 6" Thick Sidewalk (no fibermesh)		
Square Yards	Estimated Cost	Length in Feet*	Square Yards	Estimated Cost	Length in Feet*
100.00	\$3,700	150	100.00	\$4,400	150
200.00	\$7,400	300	200.00	\$8,800	300
333.33	\$12,300	500	333.33	\$14,700	500
666.67	\$24,700	1,000	666.67	\$29,300	1,000

*The shortest length of sidewalk to be considered for an MSBU project is 100 linear feet, which is 67 square yards in area, based on a six foot width.

Generally, a smaller project has a higher linear foot cost; a larger project has a lower linear foot cost. Project sidewalk costs are subject to variable site conditions, jurisdictional agencies' requirements and current labor/material prices when a project is bid for construction.

Note: The requirement for six (6) feet wide sidewalks is determined by ADA Codes, the Engineering Division, and Seminole County Department of Public Works.

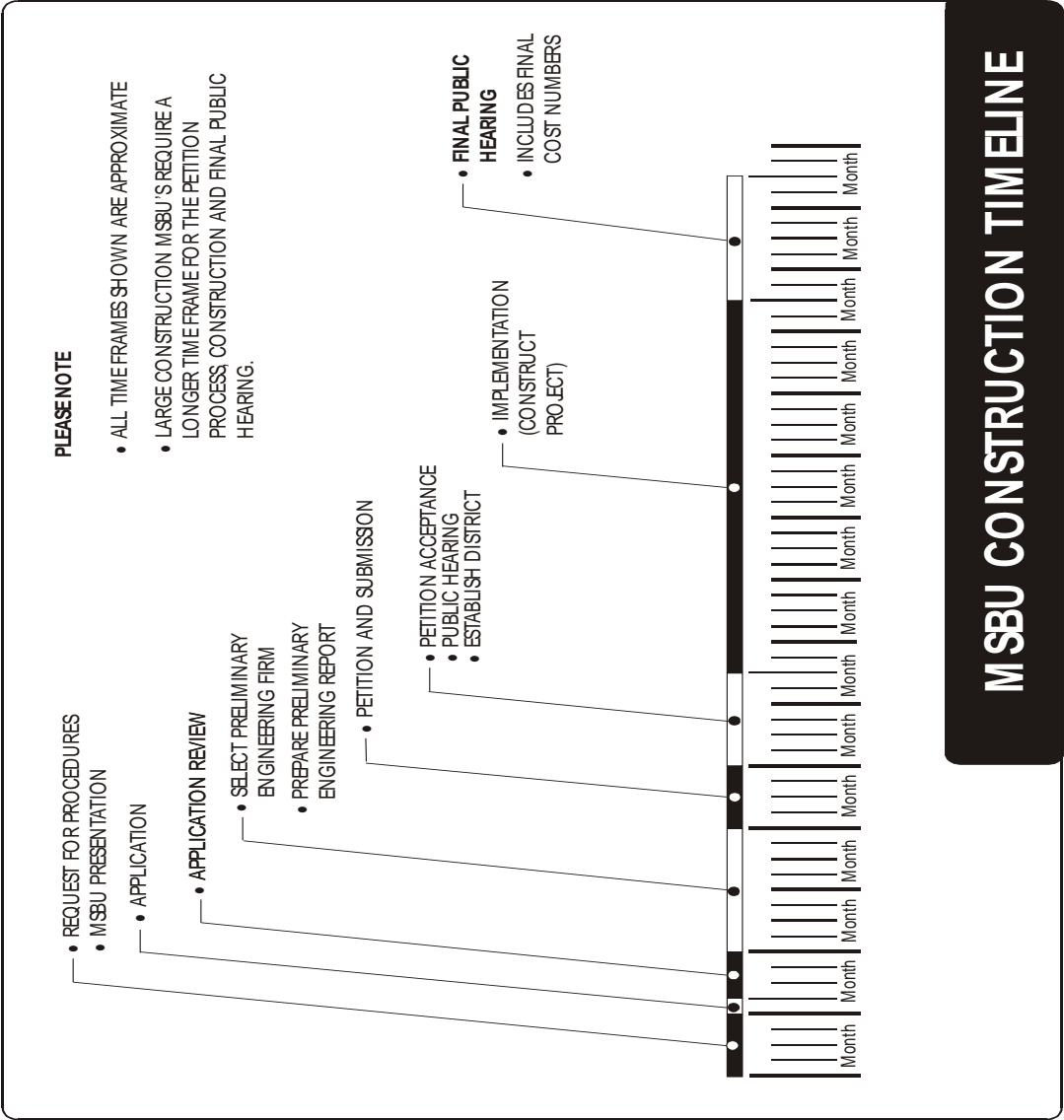
The estimated sidewalk project costs illustrated above are for construction design, maintenance, and miscellaneous expenses and do not include the costs of (and the exclusion may not be limited to) the items in the "Additional Costs" table on the next page. Some of these additional costs are not applicable to every project. Also, these estimated costs may not reflect the most current costs and should be used for preliminary estimation purposes only.

Additional Costs (if applicable to project)

Administrative and Permitting Fees	Additional fill
Interest Expenditures	Right-of-Way costs for sidewalk improvements appraisals, survey fees, title searches, acquisition fees, etc.
Drainage easements and temporary construction easements	Engineering inspection
Geotechnical services	Utility Relocation Costs
Permit application fees of applicable jurisdictional agencies	Landscaping and/or irrigation (if requested)
Retaining walls (if necessary)	Existing structure demolition

Actual site conditions for a project vary extensively. Therefore, this information is intended only as a guide in estimating MSBU sidewalk improvement costs.

MSBU Construction Timeline



MSBU CONSTRUCTION TIMELINE



MSBU Estimated Potential Construction Cost Matrix

Sample Repayment Schedule

For Construction Improvements

TOTAL ASSESSMENT PER PARCEL	EXAMPLE INTEREST RATE	TERMS OF REPAYMENT	ANNUAL PAYMENT PER PARCEL
\$2,500.00	6%	8 Years	\$402.59
\$2,000.00	6%	6 Years	\$406.73
\$1,500.00	6%	4 Years	\$432.89
\$1,000.00	6%	4 Years	\$281.82
\$500.00	6%	2 Years	\$272.72

<\$300.00 typically not financed

MSBU Glossary



ADMINISTRATIVE FEE	The reimbursement of costs including, but not limited to, costs associated with personnel, forms, supplies, data processing, computer equipment, postage, pro rata insurance premiums, and programming.
ASSESSMENT	A fixed value or dollar amount to be charged for special services or constructed improvements.
ASSESSMENT BASE	Unit of measure on which non-ad valorem assessment is calculated (per lot, per home site, per front foot, per acre, etc.)
ASSESSMENT ROLL	Formal record adopted by the Board of County Commissioners at a public hearing that provides a complete listing the non-ad valorem assessments levied and assigned to specific property. Roll is certified to the County Tax Collector for inclusion on and collection via the annual property tax bills.
AD VALOREM TAX	Property taxes levied on the assessed value of real property.
AQUATIC WEED	A noxious aquatic plant with potential to hinder the growth of beneficial plants or to interfere with irrigation or navigation or to adversely affect the public welfare or natural resources of the state.
AQUATIC WEED CONTROL	Controlling or managing invasive plant species through chemical, biological or mechanical means; often includes shoreline replanting with native plant species.
BENEFIT	An advantage, improvement or assistance gained from association with service or improvement.
BENEFIT UNIT	Refer to "assessment base".
BID	Offer to perform contract for work & labor or supplying materials or goods at specified price. Usually more than one bid sought for contract.
BOARD OF COUNTY COMMISSIONERS (BCC)	Governing body of County composed of five members serving staggered terms of 4 years. There is one Commissioner for each of five County Commission districts. Elections occur on county-wide basis.
BUILDER	A person who constructs buildings under contract or as a speculator
CADASTRAL	Pertaining to a public record, survey, or map of the value, extent, and the ownership of land as a basis of taxation.
CONSOLIDATED STREET LIGHTING ORDINANCE	Article to rectify and amend consolidated street lighting districts within specified areas of the unincorporated territories of Seminole County.

CONTINGENCY FUNDS	Appropriations of funds set aside to cover unforeseen events that occur during fiscal periods or improvement projects.
CURBSIDE SERVICE	Collection service providing retrieval at edge of property or other designated location accessible by hauler equipment.
CULVERT	A drain pipe or masonry structure under a road or embankment.
DEVELOPER	A person who invests in and develops the urban or suburban potentialities of real estate, esp. by subdividing the land into home sites and then building houses and selling them.
DISTRICT	A territorial area into which a county is divided for judicial, political, electoral, or administrative purposes.
DISTRICT BOUNDARY	The defining parameters of parcels/property included in a designated district; outline of a geographical or territorial area;
DRAINAGE	Conveying water from one place to another to dry the former and prevent water from accumulating.
EASEMENT	A limited right of use over the property of another, such as any strip of land legally dedicated or conveyed for public or other private utilities, drainage, sanitation, or other specified uses having limitations, the title to which shall remain in the name of the property owner, subject to the right of use designated in the reservation of servitude.
FINAL ENGINEERING REPORT	A written report prepared by a licensed engineer describing the project background, findings, assumptions, permit recommendations, and probable costs to complete a specific MSBU project.
FISCAL YEAR	Twelve month financial period beginning October 1 and ending September 30.
FIXED TERM ASSESSMENT	Refer to "term assessment".
HERBICIDE (AQUATIC)	A selective weed killer that is not injurious to crop plants.
INTEREST EARNED	Interest earned on revenue.
INTEREST EXPENSE	Interest charged on funds that are borrowed.
LAKE RESTORATION	Specific efforts directed toward improving aquatic conditions so that deterioration is reduced, corrected, and/or controlled. Typically supplemented by long-term aquatic weed control and shoreline replanting requirements.
LEASEHOLD	The fact or condition of holding property by lease; receiving grant of temporary possession or use of (lands, tenements, etc., from another owner).

LIEN	A encumbrance or claim against a property by another party for payment of some debt, obligation, or duty. Usually impacts the transferability of the property.
LINEAR FOOT	A measurement equal to twelve inches and having the form of or resembling a line.
MUNICIPAL	Of or relating to a community or civic unit.
MUNICIPAL SERVICE BENEFIT UNIT(MSBU)	A special assessment district authorized by Florida Statute 125.01 to provide for improvements and/or services to a specifically defined area of the County and financed by a special assessment on only those properties receiving the benefits of those improvements and/or services.
MUNICIPALITY	Political unit usually having powers of self government. (7 incorporated cities (municipalities) in Seminole County: Altamonte Spgs, Casselberry, Lk Mary, Longwood, Oviedo, Sanford, Winter Springs.
NON-AD VALOREM ASSESSMENT	The assessments which are not based upon mileage and which can become a lien against a property.
OPERATING CONTINGENCY	A budgetary allotment set aside for emergencies or unforeseen expenditures not otherwise provided for in the budget.
ORDINANCE	A formal legislative enactment by the governing board of a municipality or other political subdivision.
PETITION FOR IMPROVEMENT	A formal document, prepared and distributed by the MSBU Program, used to determine the level of community support of an improvement project and the establishment of an MSBU for funding the improvement.
PETITION OF INTEREST	An informal communication to/from property owners with the purpose of determining preliminary interest in pursuing services or improvements through an MSBU.
PLAT	A map of a specific area of land usually a subdivision that is mapped by a licensed surveyor showing lot and other boundary lines.
PRELIMINARY ENGINEERING REPORT	A written report prepared by a licensed engineer describing the anticipated conditions, requirements, methods, permits, and estimated costs to be addressed to complete a specific project.
PRIVATE ROAD	Privately owned land/property used as a roadway.
PROJECT MANAGER	A person whose responsibilities include managing the activities, resources, and scheduling of a project.
PUBLIC HEARING	A meeting of the Board of County Commissioners that is open to the public for the purpose of providing opportunity for public input and commentary for Board consideration in advance of the Board establishing an MSBU or taking other action that may have financial impact on tax payers and/or other citizens.

PRIVATE LAKE OR WATERWAY	A body of water that is surrounded by land that is privately owned and without provisions for public access.
PUBLIC LAKE OR WATERWAY	A body of water that is navigable, includes provisions for public access, and/or associated with submerged lands owned by the state by right of its sovereignty in navigable freshwater lakes, rivers, and streams. [For additional information; refer to Florida Statutes 253.12.]
PUBLIC ROAD	Publically owned land/property used/designated as roadway (travel route).
RECONSTRUCTION	Replacement of an existing structure.
RESERVE	A specified amount of funds set aside for the purpose of meeting future or unanticipated expenses.
RESOLUTION	A special or temporary order of a legislative body with less legal formality than an ordinance or statute. Resolutions applying to MSBUs identify final MSBU district boundaries and special assessments.
RETENTION POND	Storm water treatment facility designed and constructed by specific design to retain volumes of storm water for defined basin area.
RETENTION POND RENOVATION	Re-establishing functionality of existing retention pond through site cleanup, dredging, aquatic weed control and other restorative efforts. Retention pond renovations are defined and given consideration on a case-by-case basis.
RIGHT OF WAY	Land dedicated, deeded, used or to be used, for street, alley, walkway, boulevard, public utilities, drainage, access for ingress/ egress, or other purpose by public, designated individuals, or governing bodies.
SATISFACTION OF LIEN	The fulfillment of an obligation, debt, or duty that releases the claim or charge that is held on property. Providing payment in full of a levied assessment.
SCOPE OF SERVICE/WORK	The required work effort, divided into tasks, to complete a specific project. The specific set of improvement requested.
SERVICE LEVEL	Specific to the curbside collection of residential solid waste, the service level identifies the frequency of collection and the collection services (with or without yard waste collection) selected by the property owner.
SERVICE YEAR	Specific to residential solid waste management, the calendar year to which the annual assessment is applied.
SEWER LINE	The connections used to transport water-carried wastes from residences, business buildings, institutions, industrial establishments, any and all other customers facilities.
SOLID WASTE	Household garbage, yard waste, and recycle items.
STATUTE	A written law enacted by a duly organized and constituted legislative body.

TAX COLLECTOR FEE	The amount paid to the County Tax Collector for the billing and the collection services associated with the non-ad valorem assessments levied by County.
TAX ROLL	Formal record of the complete ad valorem property tax rolls of Seminole County property) prepared by the Property Appraiser and certified to the Tax Collector for collection.
TERM ASSESSMENT	Type of assessment that has a fixed amount and a fixed time period for repayment; generally associated with construction projects that require financing terms to enhance affordability.
UNINCORPORATED AREA	Area of County which is not within boundaries of any municipality.
UNPLATTED LAND	Land that is not located in a platted subdivision. (See Platted)
VARIABLE RATE ASSESSMENT	Type of assessment by which the levied rate is determined on an annual basis according to financial requirements to continue and/or maintain services or improvements provided through an MSBU.
WATER LINE (Potable)	Water line or main that transmits or distributes water that (a) has been treated by a facility permitted by the Florida Department of Environmental Protection and (b) meets the requirements of the Florida Safe Drinking Water Act.
YARD WASTE	Vegetative matter resulting from yard and landscaping maintenance (leaves, grass clippings, branches, etc.)



Application for Establishing an MSBU For Sidewalks

Project Type: ☐ Install New Sidewalk ☐ Repair Existing Sidewalk ☐ Replace Existing Sidewalk

Attachments: ☐ Application Fee ☐ Location Map
☐ Plat Map ☐ Other: _____

Subdivision: _____ Roadway(s): _____

Parcel ID/Reference: _____

Primary Liaison Information:

Secondary Liaison Information:

Name _____

Address _____

Property Address _____

(If different from mailing address)

Telephone _____

Email _____

Supporting Information:

1. If there are existing sidewalks, please describe their condition and dimensions (width, length and thickness) as well as any sidewalks through driveways and curb modifications for handicapped access.
2. Does Seminole County maintain the roadways near the existing sidewalks or planned location of new sidewalks? Are the roadways paved or unpaved? If partially paved, describe in detail which portions are paved. List cross streets and addresses.
3. Have the residents held meetings to address sidewalk concerns? If yes, please list dates and outcome.
4. What percentage of the property owners would likely attend meetings purposed at review of sidewalk conditions, goals, and financial issues in the future?



Application for Establishing a Sidewalk MSBU – Page 2

Scope of Services Requested:

5. Describe current problems/concerns that you are hoping to resolve. Please be as specific as possible.

6. State detailed reasons/conditions for requesting and/or qualifying for Seminole County financing for this improvement MSBU. (Attach additional paper if needed.)

I have reviewed the information contained in the application packet. I understand that community support is essential to the establishment of an MSBU. I understand and accept that the application fee and all other prepayment requirements are deemed non-refundable and that any applicable credit provisions for such payments will not be available until such time as an MSBU is established, the project is completed and assessments are collected. I understand that the establishment of an MSBU and any supplemental funding from the County is a discretionary decision of the Seminole County Board of County Commissioners as subject to state and local guidelines.

Applicant Name: _____ Email: _____ Phone: _____

Applicant Signature: _____ Date: _____

Submit this application together with the non-refundable application fee to:

Seminole County MSBU Program, 1301 East 2nd Street, Sanford, FL 32771